



FILED
MARIE HIRST COURT CLERK
CANADIAN COUNTY, OKLAHOMA

AUG 24 2021

IN THE DISTRICT COURT OF CANADIAN COUNTY
STATE OF OKLAHOMA

BY [Signature]
DEPUTY

GENEVA WOOTEN,

Plaintiff,

vs.

PILOT TRAVEL CENTERS, L.L.C.,
a foreign for profit corporation,

Defendant.

No. CJ 2021 377

JACK D. MCCURDY II

PETITION

COMES NOW the Plaintiff, Geneva Wooten (hereafter "Plaintiff"),
and for her cause of action against the Defendant, Pilot Travel Centers,
L.L.C., alleges and states as follows:

1. Plaintiff was at all times herein an individual residing in Little Rock, Pulaski County, State of Arkansas.
2. Upon information and belief, Pilot Travel Centers, L.L.C. (hereafter "Pilot") is a Delaware limited liability company with its principal place of business located in Knoxville, Tennessee, and is domesticated in Oklahoma; Pilot may be served through its service agent in Canadian County, Oklahoma.
3. This Court has jurisdiction over the parties and subject matter hereto and venue is properly laid in Canadian County.

EXHIBIT

1

4. That at all times material herein the Plaintiff was a business invitee of the Defendant Pilot.

5. The Plaintiff stopped for gas and food at a service center of the Defendant Pilot's located at 16600 W. South Avenue in Tonkawa, Oklahoma, off Interstate I-35 on or about July 21, 2020, at approximately 4:15 p.m.

6. After going into Pilot's store at the above referenced location at the above-referenced time and date, the Plaintiff left the store and walked towards her car.

7. Upon leaving Pilot's store, the Plaintiff stepped off the curb that was painted the same color as the concrete parking lot below it, resulting in a deceptive appearance that prevented the Plaintiff from being able to accurately observe the change in the height from the curb to the parking lot or driveway below the curb.

8. Pilot owed the Plaintiff the duty to properly mark its curbs and driveway and parking lot to warn its patrons of the danger posed by the drop off from the curb to the driveway or parking lot.

9. As a direct and proximate result of Pilot's breach of its said duties to the Plaintiff, the Plaintiff fell and broke her foot, and as a result has

incurred hospital and medical expenses, has suffered physical, mental and emotional pain and suffering and can expect to suffer similarly in the future.

9. Pilot was aware of the danger that the deceptive marking of the curb and driveway or parking lot because, as an agent, servant and employee of Pilot told the Plaintiff while helping her after her fall, she was the third person to fall in that same place that day.

8. That the amount in controversy is in excess of Seventy Five Thousand Dollars (\$75,000.00). There is diversity of citizenship pursuant to 28 U.S.C. §1332(c).

WHEREFORE, PREMISES CONSIDERED, Plaintiff prays for judgment against the Defendant in an amount in excess of \$10,000.00 to deter wrongful conduct, to ensure and encourage socially responsible behavior, to establish safe community standards, and to compensate Plaintiff in an amount deemed just and fair, for her costs, and for all other just and equitable relief to which she may be entitled.

Respectfully submitted,



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ATTORNEY LIEN CLAIMED